

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES -- GENERAL

Case No. **CV 23-6647-JFW(KSx)**

Date: October 4, 2023

Title: Planet Green Cartridges, Inc. -v- Amazon.com, Inc., et al.

PRESENT: HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE

Shannon Reilly
Courtroom Deputy

None Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

None

ATTORNEYS PRESENT FOR DEFENDANTS:

None

Proceedings (In Chambers): ORDER TO SHOW CAUSE WHY SANCTIONS SHOULD NOT BE ISSUED; and

ORDER DENYING AS MOOT DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S COMPLAINT OR, IN THE ALTERNATIVE, TO STRIKE [filed 9/18/23; Docket No. 26]

In light of the Notice of Non-Opposition to Motion Under Federal Rule of Civil Procedure 12(b) and (f), filed September 29, 2023 (Docket No. 31), it appears that Plaintiff Planet Green Cartridges, Inc. ("Plaintiff") failed to meaningfully participate in the Local Rule 7-3 meet and confer conference on September 12, 2023. See Joint Statement regarding the Parties' Meet and Confer Relating to Defendants' Forthcoming Motion to Dismiss, filed September 14, 2023 (Docket No. 25). As paragraph 5(b) the Court's Standing Order, filed August 16, 2023 (Docket No. 10), provides, in relevant part:

These principles require counsel for the plaintiff to carefully evaluate the defendant's contentions as to the deficiencies in the Complaint, and in most instances, the moving party should agree to any amendment that would cure a curable defect. Counsel should, at the very least, resolve minor procedural or other non-substantive matters during the conference.

As a result, the Court orders Plaintiff to show cause, in writing, on or before **October 10, 2023**, why Plaintiff should not be required to pay Defendants' attorneys' fees for preparing an unnecessary motion to dismiss. No oral argument on this matter will be heard unless otherwise ordered by the Court. See Fed. R. Civ. P. 78; Local Rule 7-15. The Order will stand submitted upon the filing of the response to the Order to Show Cause. Failure to respond to the Order to Show Cause will result in the issuance of sanctions.

In addition, Defendants' Motion to Dismiss Plaintiff's Complaint or, in the Alternative, to Strike, filed September 18, 2023 (Docket No. 26), is **DENIED as moot**. Plaintiff shall file its First Amended Complaint on or before October 10, 2023.

IT IS SO ORDERED.